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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,833	03/10/2004	Bezael Arkush	1532	5036
4518	7590	07/27/2007		
ROBERT W. J. USHER PATENT AGENT 1133 BROADWAY, #1515 NEW YORK, NY 10010			EXAMINER HU, KANG	
			ART UNIT 3714	PAPER NUMBER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/798,833	Applicant(s) ARKUSH, BEZALEL	
	Examiner Kang Hu	Art Unit 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2004.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |                                                                                        |                                                                   |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>3/10/2004</u> .                                               | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION*****Drawings***

1. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, features claimed “the page supporting means comprises a rectangular board having an inner surface and a lower, horizontal edge portion joined at a corner to an outer free edge portion and a circuit component housing extends dog leg fashion along said lower horizontal edge portion through said corner and along said free edge portion and upstands from said inner surface cooperating with said inner surface to provide a page receiving recess for locating the pages as a stack” in claim 8 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the

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applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Objections***

2. Claims 1, 11 and 13 are objected to because of the following informalities: claim 1, lines 2 recites “a plurality of pages each page being...” line 6 recites “plurality of pages page for ...”; Claim 11 reads “where actuation of an answer button corresponding to a correct answer in a second attempt at a same question lights up, the YES lamp associated with the question button corresponding to that question but does not alter the total score”; claim 13, line 1 recites “wherein the a page...” each and every one of these claims in the recited area has grammatical errors that causes minor informalities.

Appropriate correction is required.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cutler (US 5,407,357) in view of Tabachnik (US 6,330,427 B1).

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The “means for” claim limitation throughout the claims invokes 35 U.S.C. 112, sixth paragraph by meeting the 3-prong analysis specified in the MPEP section 2181 and will be treated as such.

Re claim 1, Cutler teaches an interactive self-test book comprising: a plurality of pages each page being printed with a sets of questions and multiple choice answers unique to the page (abstract; col 3, lines 25-69; col 4, lines 1-45; col 7, lines 15-68) unique page identifying indicia on each page distinguishing the page from each other page (page number and alphabetic quiz code in col 7, lines 20-25); means for supporting a selected one of the plurality of pages page for reading by a person using the book (figs 1-10);

Cutler does not teach the use of a page recognition device mounted on the support means for movement into and out of registration with the page identifying indicia between a page changing position and an indicia reading position; Tabachnik (US 6,330,427 B1) teaches of such device in the abstract, and col 1, line 50 to col 4, line 21; It would have been obvious at the time of the invention to modify Cutler to include such device so a child's interest and imagination are enhanced when the child is able to take a more active role in reading or listening to a book. Cutler further did not teach a plurality of question buttons mounted on the supporting means for actuation by a user to select a question to be answered. Instead Cutler discloses that the questions are either selected randomly or based on the relatedness of the subject matter of the various questions (col 7; lines 32-53). It would have been obvious at the time of the invention for Cutler to include a user

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selectable button for the user to select the questions that the person would want to answer based on the assignment by the teacher (col 1, lines 12-40).

Cutler further teaches a plurality of answer buttons mounted on the supporting means for actuation by a user to select an answer to a question which has been selected by actuation of a question button (figs 1-10); indicating and display means having at least one of visual and audible means for indicating to the person whether a selected answer is correct and for displaying a score to the person (col 4, lines 12-30); electronic processing means comprising a store of data corresponding to all sets of questions and their correct answers (cols 3-4) and to the indicia identifying the respective individual pages on which the respective individual sets of questions and multiple choice answers are printed and for totalizing the score when a correct answer is selected (col 8, lines 10-36); means for connecting the electronic processing means to the page recognition device (Tabachnik cols 2-3 as described above) for identifying the page and question and answer set selected by the person (Cutler cols 3-4); to the question buttons and to the answer buttons for determining, in response to actuation of a question button and then an answer button, that an answer button selected is one of correct and incorrect, for increasing the score in response to a determination that the answer button selected is correct and to the indicating and display means for operating the indicating and display means to display an increased score and actuate at least one of visual and audible means to indicate that the answer button selected correspond to one of a correct answer and incorrect answer (cols 3-4; cols 7-8).

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Cutler further teaches

Re claims 2 and 3, an interactive self-test book wherein the indicating and display means has at least one of visual and audible means for indicating to the person the plurality of questions similarly arranged in the book is to be answered first, and at least one of visual and audio means is a status lamp adjacent the questions and which status lamp is lit up when the question is to be answered (cols 3 - 4; col 7, line 15 - col 8). The limitation of the actuating of a question button has been discussed above in claim 1.

Re claims 4 and 5, an interactive self-test book according to claims 1 and 3 wherein said at least one of visual and audible means to indicate that the answer button selected corresponds to one of a correct answer and an incorrect answer comprises a "right answer" and a "wrong answer" musical tune, it is analogies to a YES lamp and a NO lamp adjacent the question button actuated, which lamps are, respectively, lit when the answer button actuated corresponds to one of a correct answer and incorrect answer, respectively (col 7, lines 55-68).

Re claim 6, Tabachnik teaches of page recognition device that can be removably secured to the support means for pivotal movement into and out of registration with the page identifying indicia (teddy bear holding the book and the arm can pivotally move in and out of registration with the page identifying indicia). It would be obvious at the time of the invention to modify Cutler to include such device so a child's interest and imagination are enhanced when the child is able to take a more active role in reading or listening to a book. Tabachnik further teaches as recited in claim 7, an interactive self-test

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book according to claim 6 wherein the page identifying indicia comprises a layer of conductive ink and the recognition device comprises a surface connector having a series of contacts on a connecting face for electrical connection with the conductive ink layer in the indicia reading position (col 2, line 45-col 4, line 22).

Re claim 8, an interactive self-test book according to claim 7 wherein the page supporting means comprises a rectangular board having an inner surface and a lower, horizontal edge portion joined at a corner to an outer free edge portion and a circuit component housing extends dog leg fashion along said lower horizontal edge portion through said corner and along said free edge portion and upstands from said inner surface cooperating with said inner surface to provide a page receiving recess for locating the pages as a stack (see figs 1-10).

Re claim 9, an interactive self-test book according to claim 1 wherein said answer buttons extend along adjacent edge portions of the support, it would have been obvious to place the question buttons in the same location in place of the LED's cutler placed in its place (fig 1-10).

Re claims 10-12, Cutler discloses an first right answer scoring method and further review methods where the player would go back to the questions where the player answered incorrectly and having to correctly answer the questions to continue are analogous to the limitations described in claims 10-12 wherein interactive self-test book according to claim 1 wherein the means for totalizing the score stores the total score for all pages for



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which questions have been answered in any session and in any order continuing to add to the total for a first attempt correct answers made for any page at any time, further actuation of an answer button corresponding to a correct answer in a second attempt at a same question lights up, the YES lamp associated with the question button corresponding to that question but does not alter the total score and the processing means stores results of prior attempts at any question so that on returning to a page and registering that page, same YES lamps and NO lamps are lit as in the prior attempt permitting the person to review the prior attempt (col 7, line 54 - col 8, line 36)

Re claim 13, an interactive self-test book according to claim 1 wherein the page recognition device comprises a clip arranged to secure pages on the support when in an indicia reading position (col 5, lines 30-50; col 7, lines 1-10).

Re claim 14, an interactive self-test book according to claim 1 the pages also contain information to which the questions are directed providing a dual function as a reference book (col 5, lines 30-50; col 7, lines 1-10).

### *Conclusion*

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Mullen (US 2003/0170604 A1) teaches a talking book employing photoelectronics for autonomous page recognition. Werzberger (US 5,639,240) teaches an interactive book assembly with plurality of left and right activity pages. Werzberger (US 5,951,298) teaches an interactive book assembly comprising a plurality of activity area pages. Hur et al (US 6,201,947B1) teaches a multipurpose learning device having a picture book including a plurality of pages, wherein the pages turned in a top-to-bottom hinged direction instead of a side-to-side hinged direction with memory unit having audio and video data stored therein. Song (US 7,111,774 B2) discloses a method and system for illustrating sound and text. May (US 6,491,220 B1) discloses a resistive page counting for paper tablets. Clossey (US 4,474,557) discloses an electronic world map game.

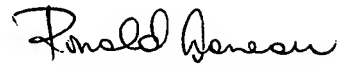
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kang Hu whose telephone number is (571)270-1344. The examiner can normally be reached on 8-5 (Mon-Thu).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/KH/  
Kang Hu  
July 17, 2007



Ronald Laneau  
Trainer AU: 3714

7/23/07